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Hearing: July 22, 2010 @ 9:30 a.m.  
Objections: June 7, 2010  
Reply: July 2, 2010

- and -

NUTTER MCCLENNEN & FISH LLP  
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*Attorneys for Tyco Adhesives LP*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
In re : Chapter 11  
: Case No. 05-44481 [RDD]  
DELPHI CORPORATION, *et al.* : Jointly Administered  
-----x  
DELPHI CORPORATION, *et al.* : Adv. Pro. No. 07-02790 [RDD]  
Plaintiffs,  
-against-  
TYCO, TYCO ADHESIVES, TYCO  
ELECTRONICS – RAYCHEM, TYCO  
ELECTRONICS CORP., TYCO  
ELECTRONICS CORPORATION, TYCO  
ELECTRONICS IDENTIFICATION TYCO  
ELECTRONICS LOGISTICS AG, and  
TYCO/ELECTRONICS,  
Defendants.  
-----x

**AFFIDAVIT OF SERVICE OF NOTICE AND MOTION**

STATE OF NEW YORK )  
                      )  
                      ) SS.:  
COUNTY OF NEW YORK )

Tracy E. Heston, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and is employed at Windels Marx Lane & Mittendorf, LLP, 156 West 56<sup>th</sup> Street, New York, New York 10019, and that on June 7, 2010, I served the:

**SUPPLEMENT TO MOTION OF TYCO ADHESIVES LP, AND JOINDER WITH MOTIONS OF FIN MACHINE CO. LTD. AND WAGNER-SMITH COMPANY, FOR AN ORDER:**

- (I) PURSUANT TO FED. R. CIV. P. 60 AND FED. R. BANKR. P. 9024 VACATING PRIOR ORDERS ESTABLISHING PROCEDURES FOR CERTAIN ADVERSARY PROCEEDINGS, INCLUDING THOSE COMMENCED BY THE DEBTORS UNDER 11 U.S.C. §§ 541, 544, 545, 547, 548, OR 549, AND EXTENDING THE TIME TO SERVE PROCESS FOR SUCH ADVERSARY PROCEEDINGS, AND
- (II) PURSUANT TO FED. R. CIV. P. 12(c) AND FED. R. BANKR. P. 7012(c), DISMISSING THE ADVERSARY PROCEEDING WITH PREJUDICE FOR FAILURE TO STATE A CAUSE OF ACTION BECAUSE IT IS BARRED BY THE TWO YEAR STATUTE OF LIMITATIONS, AND
- (III) PURSUANT TO FED. R. CIV. P. 12(c) AND FED. R. BANKR. P. 7012(c), DISMISSING THE ADVERSARY PROCEEDING WITH PREJUDICE FOR FAILURE TO STATE A CAUSE OF ACTION BECAUSE IT IS INSUFFICIENTLY PLED, AND
- (IV) DISMISSING THE ADVERSARY PROCEEDING ON THE GROUND OF JUDICIAL ESTOPPEL, AND
- (V) DISMISSING THE ADVERSARY PROCEEDING ON THE GROUND OF LACHES, OR
- (VI) IN THE ALTERNATIVE, PURSUANT TO FED. R. CIV. P. 12(e) AND FED. R. BANKR. P. 7012(e), DIRECTING A MORE DEFINITE STATEMENT OF THE PLEADINGS.

upon the interested parties on the attached service list by placing true copies of same enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, and through electronic transmission via the Court's CM/ECF system to all parties who are listed on the Court's Electronic Mail Notice List.

*/s/ Tracy E. Heston*  
TRACY E. HESTON

Sworn to before me  
This 7<sup>th</sup> day of June 2010

*/s/ Maritz Segarra*  
Maritz Segarra  
Notary Public, State of New York  
No. 03-4652865  
Qualified in Westchester County  
Commission Expires December 31, 2013